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7
8 UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF NEVADA

Case No.: 3:17-CV-00577-RJC-VPC

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR HERC
RENTALS, INC. TO ANSWER
AMENDED COUNTERCLAIM**

10 TRUSTEES of the NORTHERN NEVADA
LABORERS HEALTH & WELFARE TRUST
11 FUND, CRAIG MADOLE, DAVE BACKMAN,
CRAIG HOLT, DAN RUSNAK, ELOY JARA,
12 RICHARD DALY; TRUSTEES of the
LABORERS PENSION TRUST FUND FOR
13 NORTHERN NEVADA, CRAIG MADOLE,
DAVE BACKMAN, CRAIG HOLT, DAN
14 RUSNAK, ELOY JARA, RICHARD
DALY; TRUSTEES of the CONSTRUCTION
15 WORKERS VACATION SAVINGS TRUST
PLAN, CRAIG MADOLE, DAVE BACKMAN,
16 CRAIG HOLT, DAN RUSNAK, ELOY JARA,
RICHARD DALY; TRUSTEES of the
17 LABORERS TRAINING TRUST FOR
NORTHERN NEVADA, CRAIG MADOLE,
18 DAVE ELIZONDO, FRED REEDER, DAN
RUSNAK, ELOY JARA, RICHARD DALY;
19 TRUSTEES of the CEMENT MASONS
ANNUITY TRUST FUND FOR NORTHERN
20 NEVADA, CRAIG MADOLE, SHANE GLENN,
KEVIN LINDERMAN, MARC LEAVITT,
21 THOMAS NORTHRUP, JESSE BARAJAS;
TRUSTEES of the CEMENT MASONS JOINT
22 APPRENTICESHIP AND TRAINING TRUST
FUND, CRAIG MADOLE, KEVIN
23 LINDERMAN, SHANE GLENN, MARC
LEAVITT, THOMAS NORTHRUP, JAMES
24 OBREGON; TRUSTEES of the NORTHERN
NEVADA OPERATING ENGINEERS HEALTH
25 AND WELFARE TRUST FUND, CRAIG
MADOLE, FRED REEDER, LANCE
26 SEMENKO, STEVE INIGERSOLL, DYLAN
GALLAGHER, SCOTT FULLERTON;
27 TRUSTEES of the OPERATING ENGINEERS
AND PARTICIPATING EMPLOYERS
28 PREAPPRENTICE, APPRENTICE, AND
JOURNEYMAN AFFIRMATIVE ACTION

1 TRAINING FUND FOR NORTHERN
 2 NEVADA, CRAIG MADOLE, FRED REEDER,
 3 LANCE SEMENKO, STEVE INGERSOLL,
 4 DYLAN GALLAGHER, SCOTT FULLERTON;
 5 TRUSTEES of the OPERATING ENGINEERS
 6 PENSION TRUST FUND, JAMES MURRAY,
 7 KEVIN ALBANESE, STEVE CLARK, F.G.
 8 CROSTHWAITE, BRYAN FLAKE, THOMAS
 9 HOLSMAN, LANCE INOUE, RICHARD
 10 PIOMBO, TOM SQUERI, DAVID STANTON,
 11 RUSSELL BURNS, MIKE CROLL, JUSTIN
 12 DISTON, DAVID HARRISON, STEVE
 13 INGERSOLL, PANE MEATOGA, JR., BRUCE
 14 NOEL, DAN REDING, JAMES SULLIVAN,
 15 NATE TUCKER; TRUSTEES of the
 16 OPERATING ENGINEERS VACATION
 17 HOLIDAY AND SICK PAY TRUST FUND,
 18 JAMES MURRAY, BRYAN FLAKE, LANCE
 19 INOUE, TOM SQUERI, RUSSELL BURNS,
 20 JUSTIN DISTON, STEVE INGERSOLL, DAN
 21 REDING, JAMES SULLIVAN; and TRUSTEES
 22 OF THE OPERATING ENGINEERS
 23 PENSIONED HEALTH & WELFARE TRUST
 24 FUND, JAMES MURRAY, KEVIN
 25 ALBANESE, STEVE CLARK, F.G.
 26 CROSTHWAITE, BRYAN FLAKE, THOMAS
 27 HOLSMAN, LANCE INOUE, RICHARD
 28 PIOMBO, TOM SQUERI, DAVID STANTON,
 RUSSELL BURNS, MIKE CROLL, JUSTIN
 DISTON, DAVID HARRISON, STEVE
 INGERSOLL, PANE MEATOGA, JR., BRUCE
 NOEL, DAN REDING, JAMES SULLIVAN,
 NATE TUCKER;

Plaintiffs,

v.

19 KENNETH M. MERCURIO, an individual;
 20 FAST-TRACK SERVICES, LTD., a Nevada
 21 limited liability company; ALLEGHENY
 22 CASUALTY COMPANY, a Pennsylvania
 23 corporation; DOES I-10,

Defendants.

23 ALLEGHENY CASUALTY COMPANY,

Counterclaimant,

25 vs.

26 TRUSTEES of the NORTHERN NEVADA
 27 LABORERS HEALTH & WELFARE TRUST
 28 FUND; TRUSTEES of the LABORERS
 PENSIONS TRUST FUND FOR NORTHERN
 NEVADA; TRUSTEES of the CONSTRUCTION

1 WORKERS VACATION SAVINGS TRUST
 2 PLAN; TRUSTEES of the LABORERS
 3 TRAINING TRUST FOR NORTHERN
 4 NEVADA; TRUSTEES of the CEMENT
 5 MASONS ANNUITY TRUST FUND FOR
 6 NORTHERN NEVADA; TRUSTEES of the
 7 CEMENT MASONS JOINT APPRENTICESHIP
 8 AND TRAINING TRUST FUND; TRUSTEES of
 9 the NORTHERN NEVADA OPERATING
 10 ENGINEERS HEALTH AND WELFARE
 11 TRUST FUND; TRUSTEES of the OPERATING
 12 ENGINEERS AND PARTICIPATING
 13 EMPLOYERS PREAPPRENTICE,
 14 APPRENTICE, AND JOURNEYMAN
 15 AFFIRMATIVE ACTION TRAINING FUND
 16 FOR NORTHERN NEVADA; TRUSTEES of
 17 the OPERATING ENGINEERS PENSION
 TRUST FUND; TRUSTEES of the OPERATING
 ENGINEERS VACATION HOLIDAY AND
 SICK PAY TRUST FUND; and TRUSTEES OF
 THE OPERATING ENGINEERS PENSIONED
 HEALTH & WELFARE TRUST FUND;
 OPERATING ENGINEERS LOCAL 12 TRUST
 FUNDS; SOUTHERN NEVADA LABORERS
 LOCAL 872 TRUST FUNDS; AND
 CARPENTERS SOUTHWEST
 ADMINISTRATIVE COOPERATION; HD
 SUPPLY; RAFAEL CONSTRUCTION, INC.;
 INLINE DISTRIBUTION; CASHMAN
 EQUIPMENT COMPANY; DISCOUNT
 DUMPSTERS DBA WESTERN ELITE; HERC
 RENTALS, INC; 3D CONCRETE, INC.; DOES I
 through X, inclusive; AND ROE
 CORPORATIONS I through X, inclusive;

18 Counterdefendants

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 20
 21 Counter-Defendant Herc Rentals, Inc. and Counterclaimant Allegheny Casualty Company,
 22 by and through their respective counsel of record, hereby stipulate and agree as follows:

23 Counterclaimant Allegheny Casualty Company served Counter-Defendant Herc Rentals, Inc.
 24 with the amended counterclaim on January 10, 2019. Counter-Defendant Herc Rentals, Inc.'s
 25 deadline to respond to the amended counterclaim is January 31, 2019. The parties stipulate and
 26 agree that Herc Rentals, Inc. shall have until February 14, 2019 to file a response to Allegheny
 27 Casualty Company's amended counterclaim. This is the first request for an extension of this
 28

1 deadline, is made in good faith, and is not made for purposes of undue delay. The request is made to
2 allow Counter-Defendant to further review the allegations of the amended counterclaim and provide
3 a meaningful response.
4

5 DATED: January 29, 2019.

6 **ALDRICH LAW FIRM, LTD.**

7 /s/Catherine Hernandez

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18 *Attorneys for Counterdefendants*

DATED: January 29, 2019.

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Attorneys for Defendants

ORDER

IT IS SO ORDERED.

Dated this 30th day of January, 2019.


United States Magistrate Judge